

From: Jesse Noell [<mailto:noelljesse@gmail.com>]

Sent: Monday, January 18, 2016 2:41 PM

To: St.John, Matt@Waterboards; Blatt, Fred@Waterboards; Mangelsdorf, Alydda@Waterboards; cafferata@calfire.ca.gov

Subject: Re: Partial history of biased decisions that led to excessively impaired conditions if Elk River

Station SFM photos: 802 is staff plate, 799 is SFM Bridge

779 shows Concrete Bridge guard rail (left side of photo), North Fork Elk

On Sun, Jan 17, 2016 at 11:25 PM, Jesse Noell <noelljesse@gmail.com> wrote:
Matt St.John, Fred Blatt, and Board Members: this is a comment regarding the proposed WDRs for Green Diamond and Humboldt Redwood Company.

Please study Figure 1 of WQ-02-01--02-2.pdf and I think you will see how the present flooding legacy has manifested from WQ's and CDF's inept planning decisions.

Note how aggradation compounds this legacy. Figures 2, 3, 4. Perhaps 15% of the increased flooding that residents suffer today is due to peak flow increase; while the remaining 85% is due to aggradation and loss of channel conveyance capacity. Presently (2015) the channel has aggraded more than a foot in South Fork and 2/3rds of a foot in North Fork since 2002, and the bias inherent in your Board's poor decisions has come home to roost. Why was CDF so arrogant as to completely ignore proper evaluation of sediment and aggradation in its mandatory decisions of significance--this legacy really points to CDF's lead agency incompetence. But, despite CDF incompetence, WQ has the authority and duty to prohibit discharge, and failing that-- to clean it up and abate the consequences!

If you study Figure 6, and compare this with the rapid channel infill that is ongoing, you will be faced with just how terrible WQ's decisions have been, and how egregious the present and proposed WDR's are. Peakflow increase has been maintained, and flooding has certainly not abated to the levels predicted by the FEMA delineations that are the thresholds for protection of public health and safety under CEQA. Ongoing aggradation is much worse than predicted by WQ's Orders.

The net effect is that flooding is far worse and far more frequent than identified in the "faith based" agency decisions---decisions that were certified and must now be enforced.

So, what is the proper thing to do? Ignore the prior certifications and underscore the mounting evidence that the past CEQA process by Board Members is a sham and fraud? Or stop the harvest that manifests the harm and threats to health and safety?

Or will WQ follow CEQA and issue "overriding considerations", begin takings procedures; provide just compensation and due process? When will WQ admit that it lacks authority to single out Elk River families forcing them to bear an undue burden?

Where is the "margin of safety" for human beings that is required by law?

WQ controls the valve that creates flooding by its actions permitting discharge--thus your name "Water Quality Control Board". When will you live up to your name?

Please deny Waste Discharge Permits in Elk River until the river recovers.

Jesse Noell



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